IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 7019 of 2006

RAJENDRA KUMAR
V/S
A.D.J.(F.T.)N0.2,BHILWARA & ORS.

Mr. SURESH SHRIMALI, for the appellant / petitioner

Date of Order : 15.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

By the impugned order, the learned trial Court had declined to take on record certain documents sought to be produced by the petitioner inter-alia on the ground that the plaintiff's evidence was closed on 25.4.2005 and the matter is going on for defense evidence, and that even according to the plaintiff documents were in his possession and power all through and therefore, the documents cannot be taken on record.

I have heard learned counsel.

The plaintiff has filed the present suit for compensation for demolition of certain construction of the plaintiff and in order to plead the land of the demolished construction to be belonging to the plaintiff has relied upon a Patta in para-2 of the plaint, and has produced the same. In my view, the documents sought to be produced are

said to be documents of other properties situated on other side of the road or the like, which in the totality of circumstances, cannot be said to be relevant when the Patta of the land in question has already been produced by the plaintiff. Thus, I do not find any error in the impugned order. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/